

AN ORDINANCE BY COUNCILMEMBER

AN ORDINANCE AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO EXECUTE AN AGREEMENT WITH CHASTAIN VENTURES, A GEORGIA JOINT VENTURE COMPOSED OF THE ROBERT W. WOODRUFF ARTS CENTER, INC., ON BEHALF OF THE ATLANTA SYMPHONY ORCHESTRA, AND ATLANTA CONCERTS, INC., A DELAWARE CORPORATION, FOR THE PURPOSE OF AMENDING AND RENEWING THAT CERTAIN LEASE / MANAGEMENT AGREEMENT DATED DECEMBER 21, 1990, FOR THE LEASE AND MANAGEMENT OF THE CHASTAIN PARK AMPHITHEATER, AND FOR OTHER PURPOSES.

00-0-1557

WHEREAS, the City owns a public entertainment facility located in Chastain Park and known as the Chastain Park Amphitheater; and

WHEREAS, the Chastain Park Amphitheater is a limited-use facility located in a residential neighborhood, where special conditions and restraints dictate a very specialized usage and understanding of the facility; and

WHEREAS, the operational policies and procedures with respect to the facility must be consistent with, and sensitive to, the special nature of the facility; and

WHEREAS, it is the policy of the City of Atlanta to administer a program of municipal support of the arts; and

WHEREAS, the Atlanta Symphony Orchestra and Atlanta Concerts, Inc., have established a reputation for responsible operation and management of the facility as Lessees during the past several years; and

WHEREAS, the present contract with Chastain Ventures, a Georgia joint venture composed of the Robert W. Woodruff Arts Center, Inc., on behalf of the Atlanta Symphony Orchestra, and Atlanta Concerts, Inc., a Delaware Corporation, for the lease and management of Chastain Park Amphitheater, will expire on December 31, 2000, and

WHEREAS, the City of Atlanta and Chastain Ventures desire to amend and renew the lease / management agreement for an additional ten (10) years, with the option to renegotiate and renew for two additional five(5)-year terms:

NOW, THEREFORE, IT IS ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

- Section 1: THAT the Mayor be, and he hereby is, authorized on behalf of the City of Atlanta to execute an Agreement with Chastain Ventures, a Georgia joint venture composed of the Robert W. Woodruff Arts Center, Inc., on behalf of the Atlanta Symphony Orchestra, and Atlanta Concerts, Inc., a Delaware Corporation, for the purpose of amending and renewing that certain lease / management agreement dated December 21, 1990, for the lease and management of the Chastain Park Amphitheater.
- Section 2: THAT the term of the Agreement as amended shall commence upon the expiration of the present lease on December 31, 2000, that is, on January 1, 2001, and be for a period of ten (10) years, expiring on December 31, 2010, with the option to renew upon renegotiation of terms for two additional five-year terms commencing upon January 1, 2011, and January 1, 2016, respectively.
- Section 3: THAT the terms and conditions of the amendments to the present agreement shall be in substantially the same form as those in the proposed "Amendment and Extension of Agreement" attached as "Exhibit A" hereto, and that the agreement as executed may be combined in form with the present agreement so as to evidence a new agreement completely replacing the present one, so long as the changes in terms shown by "Exhibit A" hereto are incorporated therein.
- Section 4: THAT all ordinances and resolutions in conflict herewith are hereby repealed for purposes of this Ordinance only, and only to the extent of said conflict.

2000-O-

William J. B. Davis
 (Do Not Write Above This Line)

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 COUNCIL MEMBER *William J. B. Davis*
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Committee _____
 Date _____
 Chair _____
 Referred to _____

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
 Readings
☐ Consent ☐ V Vote ☐ RC Vote

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

9/18/00

Date Referred

Referred To:

Finance / Executive
CD/HR

Date Referred

Referred To:

Date Referred

Refer To

Refer To

MAYOR'S ACTION

CERTIFIED